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		First Reading	FINAL COUNCIL ACTION .
05-C-0011	Date		□ 2nd □ 1st & 2nd □ 3rd
AN ORDINANCE WITE ADOVE THE LINE)	Referred To		Readings
BY COUNCILMEMBER JIM MADDOX	Committee	Committee	Consent UV Vote UHC Vote
AN ORDINANCE TO REESTABLISH AND	Date	Date	CERTIFIED
MORATORIUM IMPOSED PURSUANT TO	Chair	Chair	
ORDINANCE 04-0-1368 ON THE ACCEPTANCE OF PRIVATE PROPERTY	Action Fav, Adv, Hold (see rev. side) Other	Action Fav, Adv, Hold (see rev. side) Other	
VENDING LOCATIONS AND THE			
ISSUANCE OF PRIVATE PROPERTY VENDING PERMITS FOR NEW VENDING	Members	Members	
LOCATIONS; AND FOR OTHER			
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	Refer To	Refer To	
	Committee	Committee	
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AN ORDINANCE
BY COUNCILMEMBER JIM MADDOX

AN ORDINANCE TO REESTABLISH AND EXTEND UNTIL MORATORIUM IMPOSED AUGUST 20. 2005. THE TO **ORDINANCE** 04-0-1368 ON THE PURSUANT ACCEPTANCE OF PRIVATE PROPERTY **VENDING** APPLICATIONS FOR NEW VENDING LOCATIONS AND THE ISSUANCE OF PRIVATE PROPERTY VENDING PERMITS FOR NEW VENDING LOCATIONS; AND FOR OTHER PURPOSES.

Whereas, Ordinance 04-O-1368, adopted August 16, 2004 and approved August 20, 2004 (copy attached) imposed a six (6) month moratorium on the acceptance of private property vending applications and the issuance of private property vending permits for new vending locations; and

Whereas, during said six (6) month period, it was contemplated that a review, revision and updating of the City ordinances regarding vending on private property would be completed; and

Whereas, said six (6) month period has expired and the review, revision and updating of said ordinances has not been completed; and

Whereas, because of this fact, the moratorium must be extended until August 20, 2005;

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA. GEORGIA, as follows:

<u>Section 1</u>: That the six (6) month moratorium imposed pursuant to Ordinance 04-O-1368 on the acceptance of private property vending applications for new vending locations, and the issuance of private property vending permits for new vending locations, be and is hereby reestablished and extended until August 20, 2005.

<u>Section 2</u>: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.



An Ordinance **04-0-1368**

By Councilmembers Jim Maddox, Mary Norwood, Ivory Lee Young, Clair Muller, Carla Smith, Anne Fauver, H. Lamar Willis, Debi Starnes Natalyn Archibong, Cleta Winslow, Howard Shook and Ceasar C. Mitchell As Amended by Public Safety and Legal Administration Committee

An Ordinance to Impose a Six (6) Month Moratorium on the Acceptance of Private Property Vending Applications and The Issuance Of Private Property Vending Permits For new Vending Locations; And For Other Purposes.

Whereas, the City has the responsibility to regulate, and prohibit any act, practice, conduct, or use of property which is detrimental, or likely to be detrimental, to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city and to provide for the enforcement of such standards; and

Whereas, the City has the power to make, ordain, and establish such bylaws, ordinances, rules, and regulations as shall appear necessary for the security, welfare, convenience, and interest of the city and the inhabitants thereof and for preserving the health, peace, order, and good government of the city; and

Whereas, pursuant to its police powers, the City of Atlanta is authorized to enact legislation to regulate certain types of businesses and industries which could potentially affect the public health, safety and welfare, including vending on private property; and

Whereas, there is a proliferation of private property vendors some of whose vending sites and structures are unsightly and unsafe; and

Whereas, this proliferation of private property vendors has also led to traffic congestion and the creation of dangerous traffic conditions; and

Whereas, the City ordinances regarding vending on private property should be reviewed, revised and updated in order to eliminate the problems associated with vending on private property; and

Whereas, it is anticipated that said review, revision and updating will take approximately six (6) months to complete; and

Whereas, no applications for new private property vending locations should be accepted, nor should any private property vending permits for new vending locations be issued during said six (6) month period.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF HE CITY OF ATLANTA, GEORGIA, as follows:

<u>Section 1:</u> That a moratorium is hereby imposed for a period of six (6) months on the acceptance of private property vending applications and the issuance of private property vending permits for new vending locations, said (6) month period to begin on the date this ordinance becomes effective.

Section 2: That the moratorium imposed by this ordinance shall not apply to private property vending applications and permits sought by Flea market promoters, operators, owners, or vendors in the event of the enactment of pending Ordinance 04-O-0165.

<u>Section 3:</u> That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

ADOPTED as amended by the Council APPROVED by the Mayor

AUG 16, 2004 AUG 20, 2004